

## **Maryland Green Purchasing Committee Approved Specification – Flooring and Adhesives**

### **HOW TO USE THIS DOCUMENT:**

This document sets prohibitions and minimum requirements for flooring and adhesives procured by the State of Maryland with which Contractors are required to comply. Product installation and removal requirements are also included.

This document also provides additional environmentally desirable attributes that offered products are encouraged to meet or exceed, to the maximum extent practicable, whenever they are cost-competitive (using a total cost of ownership assessment) and meet form, function and utility requirements.

### **PRODUCTS COVERED UNDER THIS SPECIFICATION:**

Adhesives

Floor Finishes and Finish Removers

Carpet Flooring

Linoleum Flooring

Stone Flooring

Tile Flooring

Wood and Bamboo Flooring

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### 1. ENVIRONMENTALLY PREFERABLE PURCHASING: LEGISLATION, STATUTES, AND REGULATIONS

#### *For Procurement Officers and Agencies*

##### **Environmentally Preferable Purchasing** (COMAR: [21.11.07.09](#))

“All procurement agencies shall purchase environmentally preferable products and services unless purchasing environmentally preferable products and services would limit or supersede any requirements under any provision of law or result in the purchase of products and services that:

- (1) Do not perform adequately for the intended use;
- (2) Exclude adequate competition; or
- (3) Are not available at a reasonable price in a reasonable period of time.”

##### **Mercury and Products that Contain Mercury** (COMAR: [21.11.07.07](#))

“All procurement agencies shall give a preference under this regulation to procuring products and equipment that are mercury-free. If mercury-free products and equipment that meet the agency's product performance requirements are not commercially available, the procurement agency shall give preference under this regulation to products containing the least amount of mercury necessary to meet performance requirements.”

##### **Maryland High Performance Buildings Act** (Md. Code Ann., State Fin. & Proc. (“SFP”), [§3-602.1](#))

“The State shall employ green building technologies when constructing or renovating a State building not subject to this section; and (2) high performance buildings shall meet the criteria and standards established under the “High Performance Green Building Program” adopted by the Maryland Green Building Council. “Major renovation” means the renovation of a building where: (i) the building shell is to be reused for the new construction; (ii) the heating, ventilating, and air conditioning (HVAC), electrical, and plumbing systems are to be replaced; and (iii) the scope of the renovation is 7,500 square feet or greater.”

##### **Low Noise Emission Products** (SFP [§14-403](#))

“To the extent practicable, each unit of the State government shall buy or lease for use by the State government supplies that are the quietest available supplies. Supplies that are certified as low-noise-emission products under the federal Noise Control Act of 1972 are considered to meet [this requirement].”

#### *For Contractors, Bidders, and Offerors*

##### **Verifying Environmental Claims** (SFP [§14-410](#))

“A bidder or offeror for a procurement contract shall certify in writing that any claims of environmental attributes made relating to a product or service are consistent with the Federal Trade Commission’s Guidelines for the Use of Environmental Marketing Terms.”

##### **Limitations on Hazardous Substances** (Md. Code Ann., Env’t, [§6-1201](#))

“A person may not manufacture, process, sell, or distribute in the State a new product or flame-retardant part of a new product that contains more than one-tenth of 1% of pentaBDE (pentabrominated diphenyl ether) or octaBDE (octabrominated diphenyl) by mass.”

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### Limitations and Prohibitions on Heavy Metals in Packaging (Env't [§9–1902\(a\)-\(b\)](#))

“A manufacturer or distributor may not sell or offer for sale or for promotional purposes any package or packaging component or any product in a package or packaging component to which any of the following was intentionally added during manufacture or distribution: (1) Lead; (2) Cadmium; (3) Mercury; or (4) Hexavalent chromium.

The sum of the concentration levels of lead, cadmium, mercury, and hexavalent chromium incidentally present in a package or packaging component may not exceed...100 parts per million by weight or 0.01%.”

## 2. PROHIBITIONS

- A. Offered products and product packaging must be asbestos free (contain less than 1% asbestos).
- B. Rugs, carpets, carpet pads, and carpet underlayments must not contain intentionally added per- and polyfluoroalkyl substances (PFAS). The bidder is required to submit written evidence that offered rug and carpet products are compliant with this requirement.
- C. Pursuant to Env't, [§§9–1901–1907](#), the Contractor is prohibited from offering or using packaging or packaging components (e.g. inks, dyes, pigments, adhesives, stabilizers, and additives) with lead, cadmium, mercury or hexavalent chromium at concentration levels exceeding 100 parts per million by weight or 0.01%.
- D. Pursuant to Env't, [§§6–1201–1204](#), products containing more than one-tenth of 1% of pentaBDE, octaBDE, or decaBDE by mass are prohibited.

## 3. MINIMUM REQUIREMENTS

All products must comply with Maryland's [green building guidelines](#).

### A. Flooring, *General*

- 1. Must be free of formaldehyde, polyvinyl chloride (PVC), perfluorooctanoic acids (PFOAs), per- and polyfluoroalkyl substances (PFAS), and ortho-phthalates.
- 2. Must have the following required standards and third-party certifications:
  - a) Cradle to Cradle Certified Silver or higher under v3.1 or newer;
  - b) Living Product Challenge 2.0;
  - c) The 2019 edition of NSF/ANSI 140 at its gold level (carpet only)  
OR;
  - d) Forest Stewardship Certification (FSC) (for wood and bamboo flooring).

To verify compliance with the required certifications listed above, links must be provided in the bid sheet to the certifier's website, the [UL SPOT](#) website, or the [Ecomedes](#) website.

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3. Must have at least one of the following Low Emitting Material Indoor Air Quality (IAQ) certifications:

- a) UL Greenguard Gold;
- b) Carpet and Rug Institute (CRI) Greenlabel Plus; or
- c) Scientific Certification Systems (SCS) Floorscore Standard

To verify compliance with the required certifications listed above, links must be provided in the bid sheet to the certifier's website, the [UL SPOT](#) website, or the [Ecomedes](#) website.

4. In addition, products must have:

- a) An Environmental Product Declaration® (EPD) for a Life-Cycle Analysis (LCA) verified by UL Environment or accredited by ISO14025 and EN15804 and independently verified by a third party;

**And**

- b) A Health Product Declaration® (HPD) which reports contents and ingredients as they relate to human health and is complementary to an EPD.

To verify compliance, EPDs and HPDs must be attached to, or their direct links provided in, the bid sheet.

5. All floor coverings, including backings, coatings, adhesives and other components **shall contain no intentionally added:**

- a) Benzene;
- b) Cadmium;
- c) Formaldehyde;
- d) Hexavalent Chromium;
- e) Lead;
- f) Mercury;
- g) Organotins;
- h) PFCs;
- i) PFOAs and PFAS;
- j) PVC;
- k) Synthetic styrene butadiene latex;
- l) Triclocarbon; or
- m) Triclosan.

### B. Broadloom Carpet and Carpet Tile

1. Must not contain coal fly ash.
2. Must not contain polyurethane backing.

### C. Adhesives

The State prefers that contractors use mechanical fasteners and attachments when installing flooring. When mechanical options are not available, adhesives may be used if they meet the following criteria:

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1. Must be certified by one of the following third-party certifiers:
  - a) Cradle to Cradle Silver or Higher;
  - b) Green Seal;
  - c) UL Ecologo;
  - d) Carpet and Rug Institute (CRI) Green Label Plus;
  - e) SCS FloorScore; or
  - f) UL GREENGUARD Gold.

To verify compliance with the required certifications listed above, links must be provided in the bid sheet to the certifier's website, the [UL SPOT](#) website, or the [Ecomedes](#) website.

2. Must have an Environmental Product Declaration (EPD), Health Product Declaration (HPD) or equivalent document that provides full product content information.
3. Must not contain chemicals that are on California's [Prop 65 list](#) (which lists substances that are known to the State of California to cause cancer, birth defects or other reproductive harm).
4. Must not contain chemicals that are listed by the Association of Occupational and Environmental Clinics (AOEC) as an asthmagen. The AOEC list can be accessed at: <http://www.aoecdata.org/expcodelookup.aspx>.

## 4. ADDITIONAL ENVIRONMENTALLY DESIRABLE ATTRIBUTES

Procuring agencies are encouraged to consider including the following when drafting solicitations-

1. Flooring that can be installed with nails or other mechanical fasteners.
2. Flooring that contains a minimum of 50% total recycled content.
  - *Note: Tiles with non-specific post-consumer recycled content must be avoided as the content may include old cathode ray tubes which contain high concentrations of lead.*
3. Flooring that contains 100% recyclable materials made by manufacturers that have a third-party verified take-back program; eligible products must be labeled accordingly.
4. Flooring and related products without chemicals that are on the Prop 65 list of substances that are known to the State of California to cause cancer, birth defects or other reproductive harm. These may include, for example, benzene, formaldehyde, methylene chloride, n-hexane, perchloroethylene, or toluene.
5. Carpet products that prolong the useful life of the carpet and reduce waste generation such as hard-backed carpet tile and loop-pile products.

## 5. INSTALLATION AND REMOVAL REQUIREMENTS

1. Flooring installer must pre-ventilate carpet by unpacking and unrolling it to air-out in a well-ventilated, uninhabited space for a minimum of 8 hours but preferably 3 days, prior to installation. The installer must also ventilate during and after installation for a suggested three days.

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2. Flooring installer must pre-ventilate hard surface flooring in a well-ventilated, uninhabited space for a minimum of 8 hours, but preferably 2 days, prior to installation. This practice must also be used after flooring installation is complete if adhesives/sealants are present.
3. If removing old flooring products, the Contractor will work with the building supervisor or designated representative to look for opportunities to trade-in, reuse, donate, or recycle the product.

## 6. ENVIRONMENTALLY PREFERABLE PURCHASING LANGUAGE

**Instruction to Procurement Officers: Please include the following language to your solicitation if it does not already exist.**

### A. On Environmentally Preferable Purchasing:

**The State of Maryland is committed to purchasing environmentally preferable products and services (EPPs).** Maryland's State Finance & Procurement Article §14-410 defines environmentally preferable purchasing as "the procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods or services that serve the same purpose."

Accordingly, Bidders are strongly encouraged to offer EPPs to fulfill this contract, to the greatest extent practicable.

### B. On Maryland's Green Purchasing Reporting Requirements:

**The State of Maryland requires, at a minimum, from the Contractor annual sales data over the life of this contract; the State also reserves the right to request quarterly sales data over the life of this contract.**

The report shall include, at a minimum, details about the third-party sustainability certifications and other environmental attributes of products and services sold on this contract per the contract specifications.

To facilitate consistent reporting on this contract, the Contractor will be provided with a VENDOR GREEN SALES REPORT template from the Green Purchasing Committee (GPC), the Office of State Procurement (OSP) or the Department of General Services (DGS).

### C. On Environmental Claims

**All environmental benefit claims made by the Contractor concerning products or services offered on this contract must be consistent with the [Federal Trade Commission's Guidelines for the Use of Environmental Marketing Claims](#).**